

REMARKS

In response to the Office Action dated July 11, 2007, Applicants respectfully request reconsideration based on the above amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

The specification was objected to and has been amended to address the items raised by the Examiner.

Claims 13-18 were rejected under 35 U.S.C. § 101 and have been amended as proposed by the Examiner to overcome this rejection.

Claims 1-18 were rejected under 35 U.S.C. § 112, second paragraph. Most of the items raised by the Examiner have been addressed by amendment. With respect to “a characteristic of said OSGA container” in claims 1, 7 and 13, these claims all previously recite “an OSGA container” and thus antecedent basis is found. With respect to “a port of a grid resource” in claims 5, 11 and 17, this clause does not refer back to any element, thus it is not clear how antecedent basis can be lacking.

Claims 1, 3, 7, 9, 13 and 15 were rejected under 35 U.S.C. § 103 as being unpatentable over OSGI in view of Davis. Claims 2, 8 and 14 were rejected under 35 U.S.C. § 103 as being unpatentable over OSGI in view of Davis and Brown. Claims 4, 5, 10, 11 16 and 17 were rejected under 35 U.S.C. § 103 as being unpatentable over OSGI in view of Davis and Java. Claims 6, 12 and 18 were rejected under 35 U.S.C. § 103 as being unpatentable over OSGI in view of Davis and Wilding-McBride. These rejections are traversed for the following reasons.

This application was filed after November 29, 1999 entitling this application to the benefits of 35 U.S.C. § 103(c). Applicants assert that the subject matter of this application and Davis were, at the time of the invention of the subject matter of this application, owned by the same party or subject to an obligation of assignment to the same party, namely International Business Machines Corporation. Accordingly, under 35 U.S.C. § 103(c), Davis cannot be applied as prior art against this application.

The above-amendments address relatively routine matters relating to 35 U.S.C. § 101 and 112, second paragraph. As noted in MPEP 706.07(a), “a second or any subsequent action on the merits in any application or patent involved in reexamination proceedings

should not be made final if it includes a rejection, on prior art not of record, of any claim amended to include limitations which should reasonably have been expected to be claimed. For example, one would reasonably expect that a rejection under 35 U.S.C. 112 for the reason of incompleteness would be replied to by an amendment supplying the omitted element.” Applicants’ amendments have not raised new issues that would necessitate new grounds of rejection. Accordingly, any subsequent office actions rejecting one or more claims based on new prior art should be non-final.

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 09-0463.

Respectfully submitted,

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